

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Berkeley County

Dale E. Van Slambrook, Circuit Court Judge

RECEIVED

Jul 31 2026

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

JAMES MCDANIEL,

APPELLANT.

APPELLATE CASE NO. 2025-001738

MOTION FOR AN EXTENSION OF TIME TO
SERVE AND FILE THE INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER

Counsel for appellant respectfully requests a thirty (30) day extension, in which to serve and file the Initial Brief of Appellant and Designation of Matter in this case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a third request for an extension. In support of this request, counsel shows:

1. The Initial Brief of Appellant and Designation of Matter in this case are due to be served and filed today.
2. Counsel filed the Reply to Return to Petition for Writ of Certiorari to the Court of Appeals in the case of The State v. Marc Palmer with the Supreme Court on July 30, 2026. Counsel filed the Final Brief of Appellant, Final Reply Brief of Appellant, and Record on Appeal

in the case of Dennis M. Gallipeau v. State with the Supreme Court on July 21, 2026. Counsel filed the Initial Reply Brief of Appellant in the case of Dennis M. Gallipeau v. The State with the Supreme Court on July 20, 2026. Counsel filed the Brief of Petitioner in the case of The State v. Jamar A. Huggins with the Supreme Court on July 17, 2026. Counsel filed the Petition for Rehearing in the case of Nevelle J. Eberhart v. The State with the Court of Appeals on July 16, 2026. Counsel filed the Initial Brief of Appellant in the case of The State v. Randall Gene Posey with the Court of Appeals on July 6, 2026. Counsel filed the Brief of Petitioner in the case of The State v. Timothy James Thompson with the Supreme Court on June 29, 2026. Counsel filed the Anders Brief of Appellant and Record on Appeal in the case of The State v. Jimmie McMillan with the Court of Appeals on June 15, 2026. Counsel filed the Reply to Return to Petition for Writ of Certiorari to the Court of Appeals in the case of The State v. Jharaun Washington with the Supreme Court on June 12, 2026. Counsel filed the Petition for Writ of Certiorari to the Court of Appeals in the case of The State v. Marc Anthony Palmer with the Supreme Court on June 12, 2026. Counsel will file the Anders Brief of Appellant in the case of The State v. Charlecia Lurry with the Court of Appeals today, June 5, 2026. Counsel filed the Initial Brief of Appellant in the case of The State v. Tyler J. Givens with the Court of Appeals on May 29, 2026.

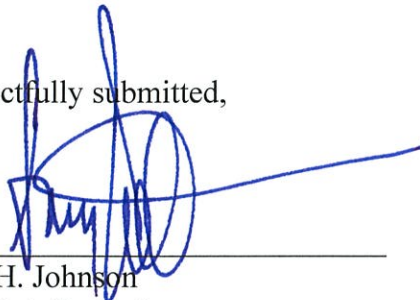
3. This request is made in good faith, and not for purposes of delay. Counsel intends to continue to work on the cases with more than three extensions first so that his caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

4. On July 2, 2026, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent granted in writing, by Deputy

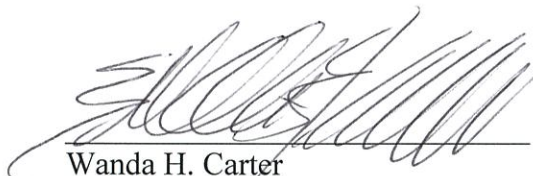
Attorney General Donald J. Zelenka for all Appellate Defense extensions through August 1, 2026.

WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension. Counsel respectfully requests that the time limits for serving and filing the Initial Brief of Appellant and Designation of Matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



Gary H. Johnson
Appellate Defender



Wanda H. Carter
Chief Appellate Defender

This 31st day of July, 2026.

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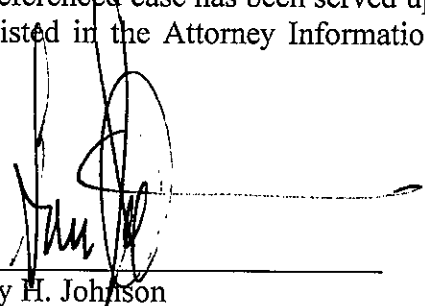
JAMES MCDANIEL,

APPELLANT.

APPELLATE CASE NO. 2025-001738

CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Motion for Extension in the above-referenced case has been served upon Mark R. Farthing, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 31st day of July, 2026.



Gary H. Johnson
Appellate Defender

ATTORNEY FOR APPELLANT

Leverett, Scott

From: Leverett, Scott
Sent: Friday, July 31, 2026 1:44 PM
To: Mark Farthing
Cc: Caroline Collins; Grace Sommer
Subject: 2025-001738 - State v. James McDaniel - Extension 3
Attachments: 2025-001738 - State v. James McDaniel - Extension 3.pdf

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Jul 31 2026
SC Court of Appeals

Dear Mr. Farthing,

Attached please find a third extension in the above referenced case that is being filed today with the Court of Appeals.

-Scott Leverett
Admin. Asst. for Gary Johnson
Appellate Defense